Remarks

Claims 1-20 are pending in this application, claims 11-20 of which are allowed and claims 4-9 of which are objected to as dependent upon a rejected base claim but indicated to be allowable if rewritten in independent form. Claim 1 is objected to based on informalities, the Specification is objected to based on informalities, claims 1-3 stand rejected under 35 U.S.C. Section 102(e) in view of U.S. Patent 6,167,057 to Kishigami et al. and claim 10 stands rejected under 35 U.S.C. Section 103(a) in view of the proposed combination of Kishigami et al. and U.S. Patent 5,831,848 to Riley et al.

With regard to the objection to the Specification, applicant has amended the Abstract to remove the word "means".

With regard to the claim objection to claim 1, applicant has amended the introduction to that claim as requested by the Examiner.

Applicant respectfully traverses the rejection of claims 1-3 under 35 U.S.C. Section 102(e) in view of Kishigami et al.

Claim 1 requires "a unique code indicating the end of message and wherein that same unique code triggers a transfer of communications control to another device or a plurality devices" (emphasis added). There are several reasons why Kishigami et al. does not meet this requirement.

Firstly, in Kishigami et al., the end of message signal is followed both by an RSP signal and by an EOF signal. Each of these signals must be transmitted and received prior to any further communication on the data bus of Kishigami et al. Thus, the end of message signal of Kishigami et al. cannot trigger transfer of communications control to another device and Kishigami et al. does not meet that claim requirement.

Secondly, the transfer of a frame in Kishigami et al. does not transfer communications control to another device because no node in Kishigami et al. ever has control. In Kishigami et al., a priority based system allows nodes to transmit at essentially any time. Specifically, Kishigami et al. uses a priority field (column 4, lines 58-62) and an arbitration region to settle conflicts in priority (Figure 3 and column 5, lines 23-24). In contrast to Kishigami et al., the

present invention transfers communications control using the unique code which also indicates end of message whereas priority arbitration in Kishigami et al. is resolved through an arbitration region and a priority signal. Thus, Kishigami et al. cannot meet the requirement of "a transfer of communications control".

Finally, Kishigami indicates that some sort of timing mechanism is involved prior to the start of data transmission (see Kishigami et al., column 1, lines 56-58). It therefore appears that the timing mechanism initiates bus data transmission leading to the arbitration of priority signals. Consequently, applicant submits that, contrary to the Examiner's assertion, it is not inherent that in Kishigami et al. that the start of the next message be triggered by the end of the previous message.

The transfer of control using a unique end of message code as proposed by claim 1 is not shown by Kishigami et al. Applicant therefore submits that claim 1 is novel and patentable in view of Kishigami et al.

With regard to claim 2, Kishigami et al. proposes a variable length message having a fixed format in contrast to applicant's claim 2 where the transmitted messages are in first, second and third formats (see Figures 2 through 4 of applicant's drawings). In contrast to the multiple format arrangement claimed in claim 2, each message of Figure 3 of Kishigami et al. will be in the same format and will not vary other than the length of the data field (in particular see Kishigami et al., column 4, line 47-56). Thus claim 2 is submitted to be novel and patentable on its own merits inasmuch as it claims three formats in contrast to the single format presented by Kishigami et al.

With regard to claim 3, Kishigami et al. does not show a message format comprising only the unique code. In contrast, each message of Kishigami et al. must be formatted as shown in Figure 3 of Kishigami et al. Further with regard to claim 3, Kishigami et al. uses a priority arbitration approach as discussed above whereas claim 3 specifies that communications control is transferred in a predetermined sequence. Consequently claim 3 is also submitted to be novel and patentable in view of Kishigami et al.

For the foregoing reasons, claims 1-3 are submitted to be novel and patentable as presented.

The rejection of claim 10 in view of the proposed combination is traversed on the basis that a person of ordinary skill in the art would not make the proposed combination and on the basis that the proposed combination does not disclose the claim. See the foregoing remarks relative to the inadequacies of Kishigami et al.

With the foregoing remarks and amendments, the issues raised in the Office Action are believed to have been resolved. However, if applicant has failed to resolve an issue or if the Examiner would like to discuss one of the issues presented above, the Examiner is requested to contact applicant's representative at the number below.

Respectfully Submitted,



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